



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,529	06/20/2001	Safa Almalki	81862P212	6387

7590 09/27/2005
Robert B. O'Rourke
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER	
JAGANNATHAN, MELANIE	
ART UNIT	PAPER NUMBER
2666	

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/886,529	Applicant(s) ALMALKI, SAFA	
	Examiner Melanie Jagannathan	Art Unit 2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- Examiner has considered amendment filed 6/13/2005.
- Claims 1-33 are pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7, 9-14, 16-19, 21-25, 27, 28, 30-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Baldwin et al. US 5,953,339.

Regarding claims 1-4, 9, the claimed apparatus comprising an ATM switch core having an input coupled to ingress AAL2 switch engine and output coupled to egress AAL2 switch engine is disclosed by switching processor in LLC server comprising terminal adapters operating in accordance with AAL-2 and ATM switch (Figure 9, element 710). Ingress and egress AAL2 switch engines having first and second look-up tables storing identification label for an AAL2 virtual channel and an AAL2 egress connection identification label and egress CID and egress VPI/VCI respectively is disclosed by routing tables (Figure 7) for both directions with each row mapping a particular CID of a particular VCC at a particular port to another port, VCC, and CID. LLC server rebundles payload portion of packet into new packet with new CID and

Art Unit: 2666

providing it to appropriate port on designated VCC. See column 7, lines 36-56, column 8, lines 65-67, column 9, and lines 1-12.

Regarding claims 5,7, the claimed ATM physical layer device is disclosed by terminal adapters including circuitry for connecting at the physical layer of the respective ATM communications. TAs couple to plurality of physical facilities, each facility associated with a physical port of LLC server. See column 7, lines 18-56.

Regarding claims 10-11, 21-22, 30-31, the claimed AAL2 packets being CPS AAL2, SSCS AAL2 packets is disclosed by TAs operating in accordance with AAL-2 and it is disclosed AAL-2 partitioned into two sublayers CPS and SSCS. See column 4, lines 23-48.

Regarding claim 12-14, 16-19, the claimed producing AAL2 virtual channel identification label and an AAL2 egress connection label in response to an ingress AAL2 packet CID and VPI/VCI is disclosed by LLC packet arriving at TA (Figure 7, element 705-1) associated with port 1 of ATM switch (element 710), VPI/VCI 2/3 and CID of 4 which produces ATM cell switched by ATM switch to port number 5 with VPI/VCI 1/2. See Figure 7 and column 8, lines 65-67, column 9, lines 1-6. The claimed forwarding ingress AAL2 packet payload and egress connection identification label within an ATM switch core is disclosed by ingress AAL2 packet is provided with ATM cell with ATM header including VPI/VCI $\frac{1}{2}$ and switched by ATM switch to port number 5. The claimed producing an egress AAL2 packet CID and VPI/VCI in response to egress connection identification label is disclosed by routing table for TA discloses port number

Art Unit: 2666

5 is associated with VPI/VC1 1/2 and CID 1 and receiving TA (element 715-2) extracts AAL2 packet for transport on VPI/VC1 1/2 with CID 1. See column 9, lines 1-8.

Regarding claims 23-25, 27-28, 32-33, the claimed means for producing AAL2 virtual channel identification label and an AAL2 egress connection label in response to an ingress AAL2 packet CID and VPI/VC1 is disclosed by LLC packet arriving at TA (Figure 7, element 705-1) associated with port 1 of ATM switch (element 710), VPI/VC1 2/3 and CID of 4 which produces ATM cell switched by ATM switch to port number 5 with VPI/VC1 1/2. See Figure 7 and column 8, lines 65-67, column 9, lines 1-6. The claimed means for forwarding ingress AAL2 packet payload and egress connection identification label within an ATM switch core is disclosed by ingress AAL2 packet is provided with ATM cell with ATM header including VPI/VC1 1/2 and switched by ATM switch to port number 5. The claimed means for producing an egress AAL2 packet CID and VPI/VC1 in response to egress connection identification label is disclosed by routing table for TA discloses port number 5 is associated with VPI/VC1 1/2 and CID 1 and receiving TA (element 715-2) extracts AAL2 packet for transport on VPI/VC1 1/2 with CID 1. See column 9, lines 1-8.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 8, 15, 20, 26, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin et al.

Baldwin et al. discloses all the limitations except for ingress and egress lines are OC-n based network line. At the time the invention was made it would have been obvious to a person of ordinary skill in the art to modify Baldwin et al. with OC-n based network lines. One of ordinary skill in the art would be motivated to do this for switching efficiency.

Response to Arguments

5. Applicant's arguments filed 6/13/2005 have been fully considered but they are not persuasive. Examiner appreciates Applicant's detailed description of the prior art.

Applicant states Baldwin reference and Applicant's claimed subject matter are both directed to switching of an AAL2 packet through ATM switch core.

Applicant argues reference Baldwin discloses a switching flow inherently different than switching flow claimed in present application. Applicant contends the pertinent difference between Baldwin's flow and Applicant's flow is where the replacement of CID and VPI/VCI information is effected and therefore Baldwin fails to teach Applicant's claims.

Examiner respectfully disagrees. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., switching flow difference with regards to location of VPI/VCI and CID replacement) are not recited in the

rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant argues Baldwin does not recite an egress identification label.

Examiner respectfully disagrees. Examiner contends Baldwin discloses routing of incoming AAL2 packet over switch core to port number defined in routing table based on incoming VCI and CID, Examiner interprets port number as the egress connection identification used to carry ingress AAL2 packet.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

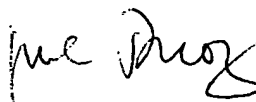
Art Unit: 2666

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melanie Jagannathan whose telephone number is 571-272-3163. The examiner can normally be reached on Monday-Friday from 8:00 a.m.-4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJ 
9/23/05


FRANK DUONG
PRIMARY EXAMINER